



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,924	01/22/2002	Camille Romano	CREATIVE 3.0-007	1761

7590 10/15/2003

EZRA SUTTON, P.A.
PLAZA 9, 900 ROUTE 9
WOODBIDGE, NJ 07095

EXAMINER

SMITH, ZANDRA V

ART UNIT	PAPER NUMBER
----------	--------------

2877

DATE MAILED: 10/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

A A

Office Action Summary	Application No. 10/051,924	Applicant(s) ROMANO ET AL.	
	Examiner Zandra V. Smith	Art Unit 2877	

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-12 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The abstract is objected to because it contains more than one paragraph. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 and 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Liang (6,470,093)* in view of *Mastnak (5,444,263)*.

As to **claims 1, 4, 10, and 11**, Liang discloses a first-order authentication system, comprising:

a housing (60, 210) having a detection opening (215) for receiving a document to be inspected and a viewing opening with a window (80) for inspecting a document;

a UV light fixture (65) mounted in the housing having a UV lamp (col. 8, lines 10-65);

means, switch (170), for activating the UV lamp prior to inspection (col. 7, lines 50-55);

and

a slide out tray (120) in the housing for guiding the document toward the UV lamp (see figs. 5 and 6).

Liang differs from the claimed invention a magnifying glass is not provided to view the document, however to do so is well known as taught by Mastnak. Mastnak discloses an

instrument for visual recognition of authenticity features in banknotes and security documents that includes the use of a magnifying glass (col. 3, lines 41-45). It would have been obvious to one having ordinary skill in the art at the time of invention to include a magnifying glass to ensure that security features of all kinds are easily recognizable.

Additionally, Liang fails to disclose that the slide out tray is removable for replacing the UV lamp, however the slide out tray is positioned atop the light source compartments (see fig. 5). Liang fails to discuss replacing the light sources, however since replacement of the light sources would be cheaper than replacing the entire device and since the slid out tray rests on top of the light source compartment, it would have been obvious to one having ordinary skill in the art at the time of invention to remove the slid out tray to replace the lamps.

As to **claim 2**, Liang and Mastnak disclose everything claimed, as applied above, in addition a reflector means (280, Liang col. 8, lines 25-30) are provided. Liang fails to disclose the composition of the reflective interior walls, however the selection of any reflective member would have been obvious as a means to evenly illuminate the document.

As to **claims 3, 8-9, and 12**, Liang and Mastnak disclose everything claimed, as applied above, with the exception of the locating the lamp .5 cm from the document. However, locating the lamp a particular distance from the document is an aesthetic design change that does not effect the functioning of the system and it would have been obvious to one having ordinary skill in the art at the time of invention to locate the light source at any distance from the document as long as the document itself is sufficiently illuminated. As to the length of the lamp, ensuring that the lamp length is sufficient to illuminate the entire document at once so that the document may be quickly inspected would have been obvious to one having ordinary skill in the art at the time

of invention. Regarding the power of the lamp, it would have been obvious to one having ordinary skill in the art at the time of invention to have a lamp of a power range sufficient to illuminate the document without providing too much heat to the housing to prevent damaging the housing.

As to **claim 5**, Liang and Mastnak disclose everything claimed, as applied above, in addition a battery compartment (285) is provided.

As to **claim 6**, Liang and Mastnak disclose everything claimed, as applied above, with the exception of an electrical cord and plug, however this is a well known means for providing power to a device and it would have been obvious to one having ordinary skill in the art at the time of invention to use an electrical cord and plug to provide power without the worry of depleting the battery power.

Allowable Subject Matter

Claims 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record, taken alone or in combination, fails to disclose or render obvious, a counterfeit detection viewer that includes a movable magnifying glass, in combination with the rest of the limitations of claim.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

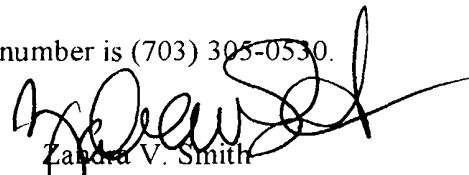
*Schilbach et al. (5,877,852); Mathurin, Sr. (5,607,040); Hopwood et al. (5,918,960);
Markantes et al. (5,596,402); Itako et al. (5,964,336)*

Fax/Telephone Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zandra V. Smith whose telephone number is (703) 305-7776. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on (703)308-4881. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0530.


Zandra V. Smith
Primary Examiner
Art Unit 2877